

Senate Study Bill 1020 - Introduced

SENATE/HOUSE FILE _____

BY (PROPOSED BOARD OF MEDICINE
BILL)

A BILL FOR

1 An Act relating to the Iowa information program for drug
2 prescribing and dispensing.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 124.553, subsection 6, Code 2015, is
2 amended to read as follows:

3 6. a. Nothing in this section shall require a A pharmacist
4 or prescribing practitioner ~~to~~ shall obtain information about
5 a patient from the program before prescribing or renewing
6 a prescription for a controlled substance or filling a
7 prescription for a controlled substance if the pharmacist or
8 prescribing practitioner believes or has reason to believe that
9 a patient is at risk of controlled substance diversion, misuse,
10 or abuse. The licensing board for a pharmacist or prescribing
11 practitioner may adopt rules to implement this subsection.

12 b. A pharmacist or prescribing practitioner does not have
13 a duty and acting reasonably and in good faith shall not be
14 held liable in damages to any person in any civil or derivative
15 criminal or administrative action for injury, death, or loss
16 to person or property on the basis that the pharmacist or
17 prescribing practitioner did or did not seek or obtain or use
18 information from the program. A pharmacist or prescribing
19 practitioner acting reasonably and in good faith is immune from
20 any civil, criminal, or administrative liability that might
21 otherwise be incurred or imposed for requesting or receiving or
22 using information from the program.

23 EXPLANATION

24 The inclusion of this explanation does not constitute agreement with
25 the explanation's substance by the members of the general assembly.

26 This bill relates to the information program for drug
27 prescribing and dispensing (Iowa prescription monitoring
28 program).

29 The bill requires a pharmacist or prescribing practitioner
30 to obtain information about a patient from the information
31 program for drug prescribing and dispensing before prescribing
32 or renewing a prescription for a controlled substance if the
33 pharmacist or prescribing practitioner believes or has reason
34 to believe the patient is at risk of drug diversion, misuse,
35 or abuse. However, the bill provides that a pharmacist or

1 prescribing practitioner who acts reasonably and in good faith
2 is not liable for damages on the basis that the pharmacist or
3 prescribing practitioner did or did not seek information from
4 the program.

5 The bill allows the licensing board for a pharmacist or
6 prescribing practitioner to adopt rules to implement the bill.

7 The bill also strikes provisions relating to pharmacist or
8 prescribing practitioner liability.